

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LOANCARE, LLC,

Plaintiff,

-v-

DIMONT & ASSOCIATES, LLC et al.,

Defendants.  
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22-CV-9286 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

The Court has now twice ordered Plaintiff to amend its operative Complaint to affirmatively allege the citizenship of each party and thus establish the Court’s subject-matter jurisdiction over this case. *See* ECF Nos. 9, 11. And twice now, Plaintiff has failed to do so, curing only certain jurisdictional defects while introducing others. In the latest effort, Plaintiff does not allege the principal place of business of ServiceLink Holdings, Inc., *see* ECF No. 12 (“SAC”), ¶ 12, and does not allege the citizenship of Steve Stallard, *see id.* ¶ 13. *See* 28 U.S.C. § 1332(c); *Canedy v. Liberty Mut. Ins. Co.*, 126 F.3d 100, 103 (2d Cir. 1997) (“[A]llegations of residency alone cannot establish citizenship . . .”).

The Court would be on firm ground dismissing Plaintiff’s complaint for failure to plead subject-matter jurisdiction. But Plaintiff is granted until **November 14, 2022**, to amend its operative complaint one final time to cure these jurisdictional defects. **To be clear: This is Plaintiff’s final chance to fix the jurisdictional pleading defects in this case. That is, Plaintiff will not be warned again if its attempts fall short, and the case will instead be dismissed without prejudice and without further notice to any party.**

SO ORDERED.

Dated: November 9, 2022  
New York, New York



JESSE M. FURMAN  
United States District Judge